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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,154	11/24/2003	Min-Chih Hsuan	JCLA10379	5549

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J C PATENTS, INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

PEACHES, RANDY

ART UNIT	PAPER NUMBER
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2617

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10/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/721,154	Applicant(s) HSUAN, MIN-CHIH	
	Examiner Randy Peaches	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6-8,10-13,18-20,22-25,30- 32,36,41-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-8,10-13,18-20,22-25,30- 32,36,41-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) <input type="checkbox"/> Notice of Informal Patent Application
6) <input type="checkbox"/> Other: _____. |
|---|---|

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to **claims 1,6-8,10-13,18-20,22-25,30-32,36,41-43** have been considered but they are not persuasive. The Examiner has considered the Applicant's argument that the cited prior art of Crocker fails to qualify as prior art of the present application. The Examiner respectfully submits that Crocker does indeed claim benefit to the provisional date of July 11, 2003, according to the Bibliographic Data Sheet dated 1/18/2006 and therefore does constitute as prior art.

Claims 1,6-8,10-13,18-20,22-25,30- 32,36,41-43 stands fully rejected.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21 (2) of such treaty in the English language.

2. **Claims 1,6-8,10-13,18-20,22-25,30-32,36,41-43** are rejected under 35 U.S.C. 102(e) as being anticipated by Crocker et al. (Crocker), US Pub. No. 2005/0009537.

Regarding **claims 1,13,25,36**, Crocker discloses a cellular phone system having a base station, the digital cellular phone comprising:

- a first user registering the digital cellular phone system and keeping contact with the base station, the first user belonged to a group;
- the first user registering an entry notice function to the digital cellular phone system; and
- informing the first user when a second user belonged to the group registers the digital cellular phone system and keeps contact with the base station, wherein when the first user is informed that the second user registers the base station, the second user is informed switching to a wireless system and is kept contact thereby (page 2 [0023-0024]),
- wherein the first user has a cellular phone for registering the cellular phone system and keeping contact with the base station and the cellular phone has an identification function of the base station serving for making sure an identity when the second user registers the wireless system (page 2 [0024] and page 3 [003])
- wherein inherently the identification function comprises inputting a password by the second user (i.e., reads on accessing buddy list), wherein the identification function comprises identifying a subscriber identity module of the second use (page 3 [0030- 0033]).

Regarding **claim 6**, Crocker discloses the digital cellular phone system of **claim 1**, wherein the first user is informed by a short message service (SMS) (page 3 [0030-0033]).

Regarding **claim 7**, Crocker discloses the digital cellular phone system of **claim 1**, wherein the digital cellular phone system informs the first user location information of the second user (page 3 [0030-0033]).

Regarding **claim 8**, Crocker discloses the digital cellular phone system of **claim 7**, wherein when the first user is informed the registration and location information of the second user, the second user is informed switching to a wireless system and the wireless system and the location information of the second user serve a contact between the first and the second users (page 3 [0030-0033]).

Regarding **claim 10**, Crocker discloses the digital cellular phone system of **claim 9**, wherein the cellular phone adjusts a transmission power of the wireless system by the location information of the second user (page 3 [0030-0033]).

Regarding **claim 11**, Crocker discloses the digital cellular phone system of **claim 1**, wherein the digital cellular phone system sets the group of the first user as a group of registration entry notice function when the first user registers the entry notice function.

Regarding **claim 12**, Crocker discloses the digital cellular phone system of **claim 1**, wherein the digital cellular phone system modifies a parameter of the entry notice function of the group therein when the first user registers the entry notice function (page 3 [0030-0033]).

Regarding **claim 13**, Crocker discloses a digital cellular phone system having a base station and a second base station near thereto, the digital cellular phone system comprising:

- a first user registering the digital cellular phone system and keeping contact with the base station, the first user belonged to a group; the first user registering an entry notice function to the digital cellular phone system; and informing the first user when a second user belonged to the group registers the digital cellular phone system and keeps contact with the base station (page 3 [0030-0033]).

Regarding **claim 18**, Crocker discloses the digital cellular phone system of **claim 13**, wherein the first user is informed by a short message service (SMS) (page 3 [0030-0033]).

Regarding **claim 19**, Crocker discloses the digital cellular phone system of **claim 13**, wherein the digital cellular phone system informs the first user location information of the second user (page 3 [0030-0033]).

Regarding **claim 20**, Crocker discloses the digital cellular phone system of **claim 19**, wherein when the first user is informed the registration and location information of the second user, the second user is informed switching to a wireless system and the wireless system and the location information of the second user. serve a contact between the first and the second users (page 3 [0030-0033]).

Regarding **claim 22**, Crocker discloses the digital cellular phone system of **claim 21**, wherein the cellular phone adjusts a transmission power of the wireless system by the location information of the second user (page 3 [0034]).

Regarding **claim 23**, Crocker discloses the digital cellular phone system of **claim 13**, wherein the digital cellular phone system sets the group of the first user as a group of registration entry notice function when the first user register the entry notice function (page 3 [0030-0033]).

Regarding **claim 24**, Crocker discloses the digital cellular phone system of **claim 13**, wherein the digital cellular phone system modifies a parameter of the entry notice function of the group therein when the first user register the entry notice function (page 3 [0030-0033]).

Regarding **claim 25**, Crocker discloses a cellular phone adapted to register a entry notice function of a digital cellular phone system, the digital cellular phone system

having a base station, the cellular phone serving for registering the digital cellular phone system and keeping contact with the base station, a first user of the cellular phone belonged to a group, the cellular phone informed when the cellular registers an entry notice function of the digital cellular phone system and a second user belonged to the group registers the digital cellular phone system and keeps contact with the base station (page 3 [0030-0033]).

Regarding **claim 30**, Crocker discloses the cellular phone of **claim 25**, wherein the cellular phone is informed by a short message service (SMS) (page 3 [0030-0033]).

Regarding **claim 31**, Crocker discloses the cellular phone of **claim 25**, wherein the digital cellular phone system informs the first user location information of the second user (page 3 [0030-0033]).

Regarding **claim 32**, Crocker discloses the cellular phone of **claim 31**, wherein when the cellular phone is informed the registration and location information of the second user, the second user is informed switching to a wireless system and the wireless system and the location information of the second user serve a contact with the another cellular phone the second user (page 3 [0030-0033]).

Regarding **claim 41**, Crocker discloses the cellular phone of **Claim 36**, wherein the cellular phone is informed by a short message service (SMS). (page 3 [0030-0033]).

Regarding **claim 42**, Crocker discloses the cellular phone of **claim 36**, wherein the digital cellular phone system informs the first user location information of the second user (page 3 [0030-0033]).

Regarding **claim 43**, Crocker discloses the cellular phone of **claim 42**, wherein when the cellular phone is informed the registration and location information of the second user, the second user is informed switching to a wireless system and the wireless system and the location information of the second user serve a contact with the another cellular phone the second user (page 3 [0030-0033]).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy Peaches whose telephone number is (571) 272-7914. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Randy Peaches
RP


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER